Agenda – Council – March 25, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

Item No. 4 Subdivision and Rezoning – 70 Lexington Park and Unnumbered Lexington Park
(North Kildonan Ward)
File DASZ 14/2020 [c/r DAV 179105/2020D]

STANDING COMMITTEE RECOMMENDATION:

On March 17, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 14/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 14, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

    A. That the Developer be required to amend and enter into an addendum to the Development Agreement File No. AG 222/96 with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18th, 2020 and attached as Schedule "B" to this report, with the following amendments:

        i. Delete Condition 6) a. under 'Section II - Servicing Conditions' in its entirety and replace it with the following:

            6) a. The Developer shall dedicate as Public Reserve no less than 2/3 of the required park land dedication for the land contained within the overall development area (in accordance with Clause C-7.1 of the Palliser MRS Master Plan), the final determination of which shall be made in consideration of the supplementary provision of publicly available private open space. If under-dedication is approved, it may be compensated for by payment of cash, or, by the provision of equivalent value of additional amenities in the Public Reserves within the Palliser's Site Area Master Plan and subsequently within nearby parks and Public Reserves, as approved by the Directors of Public Works and Planning, Property and Development.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

i. The Developer's dedication contribution shall be accrued from each phase or application, with dedication of Public Reserve for future phases of development, with compensation tabulated as necessary within the final phase of development.

ii. Add the following new Condition under 'Section II - Servicing Conditions'

7) Pathways

a. The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use pathway, 3.5m wide, and all related works, on the north side of Springfield Road from Dunits Drive to Chief Peguis Trail, as determined by and to the satisfaction of the Director of Public Works.

b. Construction of the pathway referred to in Clause 7) a. above shall be completed prior to issuance of occupancy permit in respect of Development Application No. DASZ 14/2020.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU" Residential Mixed-Use District and a "PR1" Parks and Recreation (Neighbourhood) District as shown on the map dated September 14, 2020 and attached as Schedule "A" to this report subject to the following conditions:

A. That the Developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

i. For those portions of the Owner's Land zoned "RMU" Residential Mixed Use, the Owner must submit plans showing the location and design of any and all proposed:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

a. buildings including elevations of the front facades identifying proposed finishing materials
b. accessory parking areas
c. driveways
d. fencing
e. landscaping

on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval prior to issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That the uses "dwelling, single-family, detached" and "dwelling, two-family" shall not be allowed as principle uses.

3. That the City enter into, execute and deliver with the Developer

A. An addendum to the Development Agreement File No. AG 222/96 in accordance with Recommendation 1;

B. A Zoning Agreement in accordance with Recommendation 2;

C. A Public Access Agreement with Winnipeg Transit to accommodate possible future transit operations on private roads within the proposed development, to be mutually agreed upon by the Developer and the Director of Winnipeg Transit.

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements")

4. That Caveat No. 2229705, dated January 27, 1998 be discharged from the titles of the lots to be rezoned to "RMU" Residential Mixed Use District.

5. That authority be delegated to the City's Director of Planning, Property and Development ("the Director") to negotiate and approve the terms and conditions of the Addendum Development Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the amending Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendation 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the Variance Order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 14/2020.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 17, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 15, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 8, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- In Recommendation 1.A., delete the period after "Schedule "B" of this report", and replace with the following:

  ", with the following amendments:

  i. Delete Condition 6) a. under 'Section II - Servicing Conditions' in its entirety and replace it with the following:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

6) a. The Developer shall dedicate as Public Reserve no less than 2/3 of the required park land dedication for the land contained within the overall development area (in accordance with Clause C-7.1 of the Palliser MRS Master Plan), the final determination of which shall be made in consideration of the supplementary provision of publicly available private open space. If under-dedication is approved, it may be compensated for by payment of cash, or, by the provision of equivalent value of additional amenities in the Public Reserves within the Palliser's Site Area Master Plan and subsequently within nearby parks and Public Reserves, as approved by the Directors of Public Works and Planning, Property and Development.

i. The Developer's dedication contribution shall be accrued from each phase or application, with dedication of Public Reserve for future phases of development, with compensation tabulated as necessary within the final phase of development.

ii. Add the following new Condition under 'Section II - Servicing Conditions'

7) Pathways

a. The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use pathway, 3.5m wide, and all related works, on the north side of Springfield Road from Dunits Drive to Chief Peguis Trail, as determined by and to the satisfaction of the Director of Public Works.

b. Construction of the pathway referred to in Clause 7) a) above shall be completed prior to issuance of occupancy permit in respect of Development Application No. DASZ 14/2020."

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 15, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Add the following new Recommendation 3.C.:

    C. A Public Access Agreement with Winnipeg Transit to accommodate possible future transit operations on private roads within the proposed development, to be mutually agreed upon by the Developer and the Director of Winnipeg Transit.

and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

PUBLIC HEARING SUMMARY

File: DASZ 14/2020

Before: East Kildonan-Transcona Community Committee
Councillor Schreyer, Chairperson
Councillor Browaty
Councillor Nason

Public Hearing: February 8, 2021
Council Building, 510 Main Street

Applicant: Susan Russell, McGowan Russell Group Inc.

Subject:



APPLICANT: McGowan Russell Group Inc. (Susan Russell)
FILE: DASZ 14/2020
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "M1 and "M2" MANUFACTURING DISTRICT and an "RMU" RESIDENTIAL MIXED USE DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of Public Reserve and to create a lot for a mixed-use development. **For information, phone Mr. G. Doney, Planner at 204-986-2688.**

Premises Affected: 70 Lexington Park and Unnumbered Lexington Park

For submission to: The Standing Policy Committee on Property and Development, Heritage and Downtown Development

Prepared by: T. Pomanski, Committee Clerk
East Kildonan-Transcona Community Committee

Report date: February 8, 2021

Community Committee Recommendation:

On February 8, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the subdivision under Development Application No. DASZ 14/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 14, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

    A. That the Developer be required to amend and enter into an addendum to the Development Agreement File No. AG 222/96 with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18th, 2020 and attached as Schedule "B" to this report, ***with the following amendments:***

        i. Delete Condition 6) a. under 'Section II - Servicing Conditions' in its entirety and replace it with the following:

            6) a. The Developer shall dedicate as Public Reserve no less than 2/3 of the required park land dedication for the land contained within the overall development area (in accordance with Clause C-7.1 of the Palliser MRS Master Plan), the final determination of which shall be made in consideration of the supplementary provision of publicly available private open space. If under-dedication is approved, it may be compensated for by payment of cash, or, by the provision of equivalent value of additional amenities in the Public Reserves within the Palliser's Site Area Master Plan and subsequently within nearby parks and Public Reserves, as approved by the Directors of Public Works and Planning, Property and Development.

                i. The Developer's dedication contribution shall be accrued from each phase or application, with dedication of Public Reserve for future phases of development, with compensation tabulated as necessary within the final phase of development.

        ii. Add the following new Condition under 'Section II - Servicing Conditions'

7) Pathways

a. The Developer shall, at no expense to the City, construct an asphaltic concrete multi-use pathway, 3.5m wide, and all related works, on the north side of Springfield Road from Dunits Drive to Chief Peguis Trail, as determined by and to the satisfaction of the Director of Public Works.

b. Construction of the pathway referred to in Clause 7) a. above shall be completed prior to issuance of occupancy permit in respect of Development Application No. DASZ 14/2020.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU" Residential Mixed-Use District and a "PR1" Parks and Recreation (Neighbourhood) District as shown on the map dated September 14, 2020 and attached as Schedule "A" to this report subject to the following conditions:

   A. That the Developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

      i. For those portions of the Owner's Land zoned "RMU" Residential Mixed Use, the Owner must submit plans showing the location and design of any and all proposed:

         a. buildings including elevations of the front facades identifying proposed finishing materials
         b. accessory parking areas
         c. driveways
         d. fencing
         e. landscaping

         on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval prior to issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

      ii. That the uses "dwelling, single-family, detached" and "dwelling, two-family" shall not be allowed as principle uses.

3. That the City enter into, execute and deliver with the Developer

   A. An addendum to the Development Agreement File No. AG 222/96 in accordance with Recommendation 1; and

B. A Zoning Agreement in accordance with Recommendation 2;

C. A Public Access Agreement with Winnipeg Transit to accommodate possible future transit operations on private roads within the proposed development, to be mutually agreed upon by the Developer and the Director of Winnipeg Transit.

and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements")

4. That Caveat No. 2229705, dated January 27, 1998 be discharged from the titles of the lots to be rezoned to "RMU" Residential Mixed Use District.

5. That authority be delegated to the City's Director of Planning, Property and Development ("the Director") to negotiate and approve the terms and conditions of the Addendum Development Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the amending Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendation 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the Variance Order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 14/2020.

Note: The wording in bold and italics denotes amendments made by the Community Committee.

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. I do believe this is consistent with the design charette for the Palliser Major Redevelopment Site Plan. This is consistent. I believe this type of housing is very much in need in our city and is consistent with OurWinnipeg, in particular the need for aging in place. I believe this is a very positive progress for our broader neighbourhood.

Exhibits Filed:

1. Application dated January 6, 2021
2. Notification of Public Hearing dated December 16, 2020
3. Manitoba Status of Titles 2940359/1, 2940394/1
4. Letter of authorization dated July 15, 2020 from Diane Dawiskiba, Palliser Furniture Canada Corporation, to McGowan Russell Group Inc.
5. Surveyor's Building Location Certificate and sketch dated February 21, 2019
6. Caveats 2229705/1, 2229706/1, 4928786/1 5006383/1
7. Plans (8 pages)
8. Report from the Urban Planning Division dated January 29, 2021
9. Inspection Report
10. Presentation in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Dan Block
Diane Dawiskiba
Art Defehr
Gabe Derksen
Bill Enns
Herta Janzen
Susan Russell
Peter Tielmann
Jackie Wilkie

In Opposition:

Nil

For Information:

Nil

For the City:

F. Ojo, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department
D. Beaton, Senior Urban Designer, Urban Planning, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 14/2020

ADMINISTRATIVE REPORT

Title: DASZ 14/2020 – 70 Lexington Park & Unnumbered Lexington Park

Issue: An application for consideration at the Public Hearing to subdivide and rezone land from "M1" Manufacturing Light District; "M2" Manufacturing General District and "RMU" Residential Mixed-Use District to an "RMU" Residential Mixed Use District and a "PR1" Parks and Recreation District to facilitate the establishment of a mixed use development and a Public Reserve.

Critical Path: East Kildonan Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Department Head	CFO	CAO
Femi Ojo	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 14/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 14, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office.

    A. That the Developer be required to amend and enter into an addendum to the Development Agreement File No. AG 222/96 with the City pursuant to subsection 259(1) of the City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated November 18th, 2020 and attached as Schedule "B" to this report.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "RMU" Residential Mixed-Use District and a "PR1" Parks and Recreation (Neighbourhood) District as shown on the map dated September 14, 2020 and attached as Schedule "A" to this report subject to the following conditions:

    A. That the Developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

i. For those portions of the Owner's Land zoned "RMU" Residential Mixed Use, the Owner must submit plans showing the location and design of any and all proposed:

buildings including elevations of the front facades identifying proposed finishing materials;

accessory parking areas;

driveways

fencing

landscaping

on the Owner's Land ("Works") to the Director of Planning, Property and Development for approval prior to issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

ii. That the uses "dwelling, single-family, detached" and "dwelling, two-family" shall not be allowed as principle uses.

3. That the City enter into, execute and deliver with the Developer

   A. An addendum to the Development Agreement File No. AG 222/96 in accordance with recommendation 1; and

   B. a Zoning Agreement in accordance with recommendation 2,

   and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

4. That Caveat No. 2229705, dated January 27, 1998 be discharged from the titles of the lots to be rezoned to "RMU" Residential Mixed Use District.

5. That authority be delegated to the City's Director of Planning, Property and Development ("the Director") to negotiate and approve the terms and conditions of the Addendum Development Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

6. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the amending Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the by-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendation 7 and 8 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

11. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

12. That the Variance Order shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 14/2020.

REASON FOR THE REPORT

- The applicant is proposing to create 5 lots from 2 existing parcels of land, and rezone proposed Lot 1 from “M1” Manufacturing Light District and “M2” Manufacturing general District to a “RMU” Residential Mixed-Use District and a “PR1” Parks and Recreation District.
- The purpose of rezoning proposed Lot 1 to “RMU” is to facilitate a mixed-use development comprising of a 276 room assisted living facility, 138 dwelling unit multi-family residential, retail sales, personal services, restaurant, theatre, chapel and a multi-purpose room.
- The subject application will also include rezoning existing “M1” and “M2” lands to “PR1” Parks and Recreation for land dedication. An existing “RMU” zoned parcel will also be rezoned to “PR1” Parks and Recreation as a land dedication on the southern portion of Lot 1 Plan 62593.
- Subdivisions and rezonings require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subject site will be subdivided and rezoned with the map provided in Schedule “A” of this report.

HISTORY

September 25, 2013 - Council endorsed the *Palliser Major Redevelopment Site Area Master Plan* as Council policy.

September 25, 2013 - Council approved the application to subdivide and rezone a portion of the subject property to an "RMU" District, which is identified as File DASZ 21/2013. When the subdivision process is completed, the proposed lot will be immediately northeast of the intersection of Burnett and Brunswick Street.

As a condition of approval of File DASZ 21/2013, the applicant was required to enter into a zoning agreement with the City to include the following conditions:

i. that for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, accessory parking areas, garbage enclosures, fencing, landscaping, potential shadow impacts, lot grading plan, signage, and bicycle parking to the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development;

ii. that all development shall be fully contained within lines drawn at 45 degree angles beginning at a point 6 feet above the east property line rising upwards towards any future building only allowing for very minor intrusions as determined by the Director of Planning, Property, and Development; and

iii. that a landscaped buffer shall be established along the entirety of the east property line to a minimum width of 25 feet.

July 15, 2015 – Council concurred in the recommendation of the Standing Policy Committee and approved the subdivision/rezoning of the property to "RMU" Residential Mixed-Use district under file DASZ 5/2015 subject to both Servicing and Zoning Agreements.

CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

SUBMITTED BY

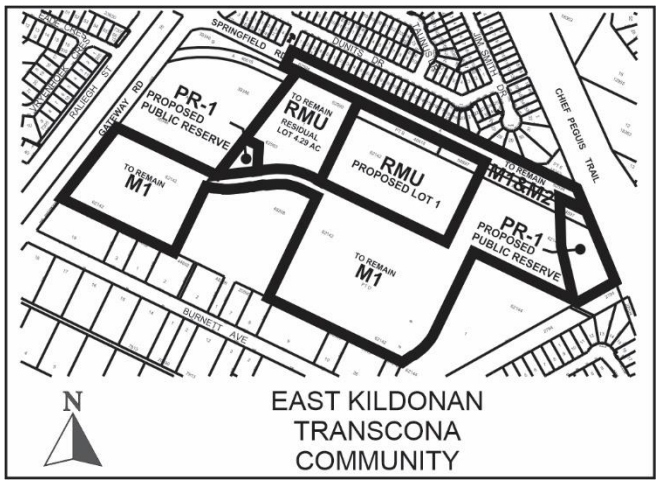
Department	Planning, Property and Development
Division	Urban Planning Division
Prepared by	Femi Ojo, MCIP, RPP
Date:	January 29, 2021
File No.	DASZ 14/2020

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — Recommended File No. DASZ 14/2020 East Kildonan - Transcona Community Committee, dated January 25, 2021
3. Schedule "B" — Report of the Administrative Working Group – November 18th, 2020.
4. Appendix "B" — Lexington Commons Seniors Village Open House – June 24, 2020

APPENDIX 'A'

DATE:	January 29, 2021
FILE:	**DASZ 14/2020**
RELATED FILES:	DAZ 211/1989; DAZ 222/1996; DASZ 5/2015
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.420 (Mcleod Industrial)
SUBJECT:	To subdivide and rezone land from "M1" Manufacturing Light District; "M2" Manufacturing General District and "RMU" Residential Mixed-Use District to an "RMU" Residential Mixed-Use District and a "PR1" Parks and Recreation District to facilitate the establishment of a mixed-use development and a Public Reserve.
LOCATION:	70 Lexington Park.
LEGAL DESCRIPTION:	PCL B PLAN 46618 PCL A PLAN 54897 58 K PCL A, D, E PLAN 62142 58/60 K PCL A PLAN 63594 57/58 K, LOT 1 PLAN 62593 58/59 K



APPLICANT:	Susan Russell (McGowan Russell Group Inc.) 825 St Joseph St Winnipeg, MB R2H 3A8
OWNER:	PALLISER FURNITURE (CANADA) CORPORATION 70 Lexington Park Winnipeg, MB R2G 4H2
RECOMMENDATION:	Approval, with a conditions

SITE DESCRIPTION

- The subject site, identified on Figures 1 and 2 in this report, is located on the east side of Gateway Road between Springfield Road to the north and north of the existing lots abutting Burnett Avenue to the south, in the Springfield South Neighbourhood of the North Kildonan Ward.
- The site is within the Major Redevelopment Site Policy Area under the *Complete Communities Direction Strategy*. The property is currently zoned "M1" Manufacturing Light and "M2" Manufacturing General.
- From the subject property, Council approved the creation of a 6.2 acre lot and its rezoning to an "RMU" District as per File DASZ 21/2013. The applicant and owner of that land are the same as the applicant and owner of the land that is the subject of this report. They intend on developing the 7.52-acre lot into residential mixed use and parks space.
- The subject property under consideration is the proposed Lot 1 which will be rezoned from "M1" and "M2" to "RMU"



Figure 1: Site map of subject property and surrounding neighbourhood (flown 2018)

ZONING & USES (See Figure 2)

North: Springfield Road, then single-family residence zoned “R1-M” Residential Single-Family.

South: Residence zoned “R1-M” Residential Single-Family Medium.

East: Residence zoned “R1-L” Residential Single-Family Large

West: Gateway Road, then residences zoned “R1-L” Residential Single-Family Large and “R1-M” Residential Single-Family Medium. Also, north west is an existing Place of Worship currently zoned “RMU” Residential Mixed Use.

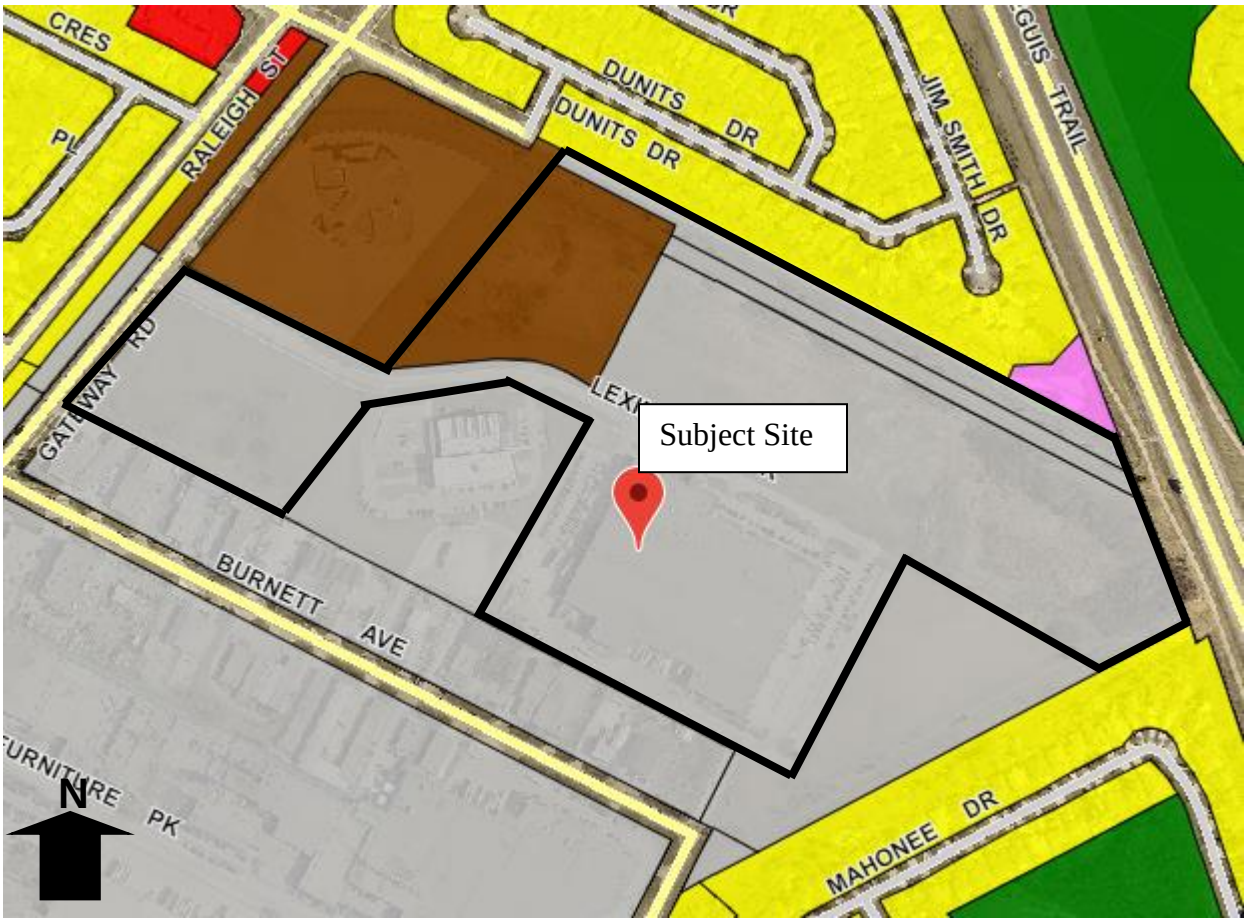


Figure 2: Zoning map of subject property and surrounding neighbourhood

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant intends to create 5 lots from 2 existing parcels 7.53 acres of land. Proposed Lot 1 will be rezoned to “RMU” Residential Mixed Use and, proposed Lots 2 and 3 will be rezoned to “PR1” Parks and Recreation. The remaining 2 lots would remain as “M1” zoning district.
- The combined size of the proposed public reserve is 2.5 acres.

- The applicant is proposing a mixed use (residential/commercial) development on Lot 1. Below is the description of what has been proposed;
    - 414 residential units; comprised of 276 assisted living units and 138 independent living units.
    - A total of 256 parking stalls is required in the Zoning By-law for the residential units noted above. The applicant is proposing a total of 345 parking stalls for the entire development. 388 parking stalls will be surface parking, while 123 will be located below grade.
    - As part of the 345 parking stalls being provided, there will be 14 accessible stalls and 4 van accessible parking stalls.
    - Vehicular access to the property will be on three private roads (Lexington Park, Springfield Road and a newly created road).
    - In addition, the applicant is providing 35 indoor and outdoor bicycle parking for residents, 20 of which will be located below grade within the underground parking area.
    - The garbage enclosure area will be located within the underground parking area.
    - There will be approximately 18,998 sq. ft. of commercial space within the entire development. The commercial space will help to enhance the urban life of both the development and the immediate neighbourhood by increasing the number of amenities available to residents of the area.
    - The applicant has applied for eight (8) variances in association with the subject application. Variances are for no frontage on an improved street, building height, insufficient landscaping and an accessory parking area. Please, see the associated Planner's report for the associated file DAV 20-179105/D.

COLLABORATION

- The Urban Planning Division has been working with the applicant since the inception of the project. There has been series of meetings and email correspondence in which details of the proposed development were discussed including additional refinements to the site plan and building design.
- It is also important to note that the applicant undertook an extensive public engagement process, most especially with community members and stakeholder groups. The summary of the engagement process is attached as Appendix "B".

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy,* the proposed development is within the Major Redevelopment Policy Area known as the "Palliser Major Redevelopment Site".

Direction 4: Major Redevelopment sites will provide for complete communities with significant levels of mixed use, high density development, with strong urban design and attractive parks, places and open spaces

- The key relevant polices guiding the development in the major Redevelopment Area include:
    - Provide a mix of employment, high-density housing, retail and service use within Major Redevelopment Sites in a way that compliments the needs of adjacent communities.
    - Support a range of different types, tenures and unit sizes in housing opportunities.
    - Support active uses (such as retail and services) on the ground floor and offices and housing on the upper floors of multi-storey developments.
    - Promote high quality plaza, parks and streetscapes as focal points and networks that are connected to the greater community.
    - Encourage the transition of development towards the outer edges of major redevelopment sites that is sensitive to the scale, massing, height, form and character of the surrounding area.
    - Mitigate any negative impacts new development may have on neighbouring streets, parks and properties.
    - Encourage the development of recreation and community service facilities in these areas in a manner that respects the desired form and character of Major Redevelopment Sites.
    - Promote development in accordance with Universal Design and Crime Prevention Through Environmental Design (CPTED) policies.

The subject proposal is consistent with the above policies in that the subject proposal, a mixed-use facility will facilitate the development of different housing opportunities in terms of types, tenures and unit sized. The development will also facilitate other type of uses/services such as retail sales, personal services, restaurant, theatre and a multi-purpose room. Also included in the proposal is over 2.5 acres of green space to be zoned “PR1” Parks and Recreation District.

PALLISER MAJOR REDEVELOPMENT SITE AREA MASTER PLAN

In addition to the aforementioned, the *Palliser Major Redevelopment Site Area Master Plan* provides policy guidance for development in this area.

The main vision of the master plan is to create a pedestrian-oriented medium to high-density residential community.

Under the Palliser Major Redevelopment Site Area Master Plan, the subject site falls within the Medium Density Residential Policy area.

- The main focus of the Medium Density area is to encourage the provision of a variety of housing types and tenures in the Medium Density Residential policy areas that would meet the life cycle and socio-economic needs of residents of any neighbourhoods in the northeast area of Winnipeg.

- The subject proposal complies with the above policy in that it would add to the variety of housing types in the neighbourhood in a manner that is compatible with and complimentary to surrounding uses.

A portion of the subject site extends to the Mixed-Use Town Centre Policy Area

- The main focus of the Mixed-Use Town Centre Area is to provide a pedestrian focused central gathering place and commercial hub where people from this development and the surrounding neighbourhood can gather and access services to meet their daily needs.
- The creation of a town square as part of the proposed development is consistent with the aforementioned policy.

ZONING BY-LAW 200/2006

Current Zoning

- **'M1' Manufacturing Light**
  Is intended to provide for light manufacturing, processing, service, storage, wholesale, and distribution operations with all operations contained within an enclosed building with some limited outside storage.

  And

  'M2' Manufacturing General

  Is intended to provide for light manufacturing, processing, service, storage, wholesale, and distribution operations, with some limited outside operations and storage.

Proposed Zoning

"RMU" Residential Mixed Use

Is intended to facilitate the development of primarily medium to higher density residential development, though it also may contain limited small-scale commercial, institutional, recreational, and service facilities needed to support residential development. The area, site, or building should retain a predominantly residential character. Development in the RMU district should provide convenient access for pedestrians and transit users from the public street, and should facilitate pedestrian travel between residential and non-residential uses. This district is often part of Community or Regional Mixed-Use Centres, Major Redevelopment Sites, and Rapid Transit Corridors.

"PR1" Parks and Recreation 1 (Neighbourhood)

Is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access. These sites may provide unstructured drop-in play and recreation opportunities, including play structures, passive parks, plazas and natural areas. Generally, there are no parking facilities associated with these uses. These parks and open spaces typically occur in a residential neighbourhood or residential neighbourhood or riverbank context and are generally accessed by residential streets.

Table 1: Dimensional requirements of the RMU and the PR1 Zoning Districts

Zoning District	Minimum Lot Area (Sq. Ft.)	Minimum lot area per dwelling	Min/Max Front Yard (Ft.)	Minimum Rear Yard (Ft.)	Minimum Interior Side Yard (Ft.)	Minimum Corner Side Yard (Ft.)	Min/Max Building Height (ft.)
RMU	9,000	500	20/NA	25	5 [note b]	20/NA	NA/100
PR1	NA	NA	20	25	8	NA	30

Note b: In the RMF-M, RMF-L, and RMU zoning districts, where a building is more than one storey in height, the required interior side yard increases by 2 feet for each storey above the ground floor to a maximum of 20 feet.

Note a: In the PR zoning districts side yard requirement do not apply when land is used for a permitted recreational use without a structure.

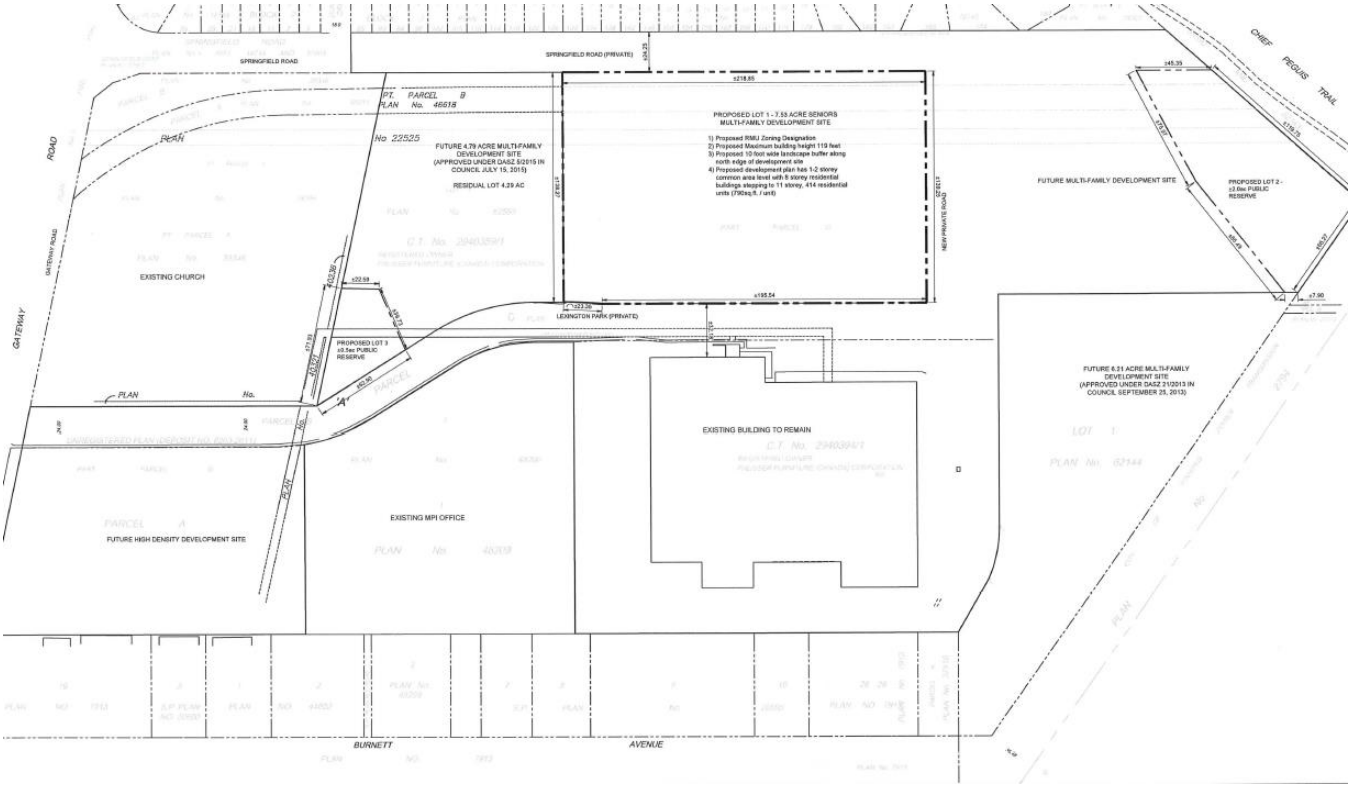


Figure 3: Plan of subdivision as submitted by the applicant

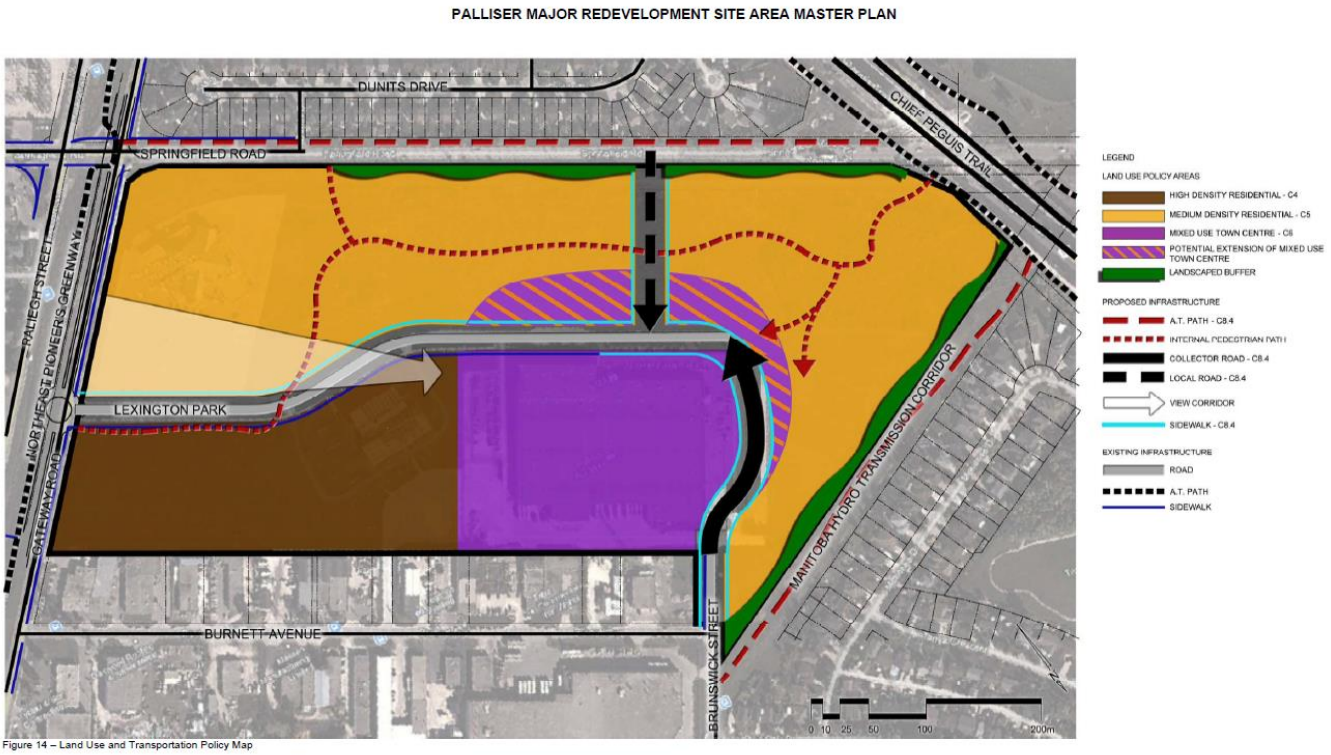


Figure 4: Land use policy areas

COMPATIBILITY WITH EXISTING NEIGHBOURHOOD AND SURROUNDING USES

The proposal to subdivide and rezone proposed Lot 1 to an “RMU” Residential Mixed-Use zoning district for the development of a mixed use (residential/commercial) area is consistent with the *Complete Communities Direction strategy* and the Palliser Major Redevelopment Site Area Master Plan.

The Urban Planning Division is supportive of the subject proposal as it provides different housing types and tenure in this part of Winnipeg. It is also important to note that the subject proposal will serve the wider neighbourhood community given the incorporation of commercial elements into the project such as retail sales, personal service, restaurant, theatre and a multipurpose room.

CONSISTENCY WITH THE PALLISER MAJOR REDEVELOPMENT SITE AREA MASTER PLAN

The proposed development is consistent with the vision, objectives and policies directing development under Medium Density Residential and the Mixed-Use Town Centre Policy Areas of the *Palliser Major Redevelopment Site Area Master Plan*. More specifically, the following are some of the ways in which the proposal complies with the general Urban Design Policies of the aforementioned plan;

<u>Streetscape and site design:</u>

- One of the urban design guidelines as per above is that street trees and other streetscape elements (lighting, street furniture and planting) should be used to enhance public sidewalk, provide a unified community character and provide environmental benefits thereby creating a more intimate and comfortable pedestrian environment
- Although submitted plans are preliminary in nature, the site plan concept shows more trees and shrubs were planted along the roadways and other strategic area throughout the site. More specifically, the trees/shrubs were planted to screen parking areas from public view.
- The proposed "Town Square" serves as a town square plaza area, which will add a key focal point for residents, shoppers and visitors.
- Main level amenity space includes the town square, social club, dining room, general store, theatre, arts & hobby studio, community centre, chapel, multi-purpose room and others.
- The proposed commercial spaces would serve both the residents and the broader community.

Building Location and Elevation:

- In the Residential Medium Density policy area of the plan, building height is expected to range from two (2) to eleven (11) storeys, to allow flexibility to transition between areas of different development densities and scale.
- Also, under massing, the Palliser Urban Design Guideline recommends that no portion of any building in the Palliser MRS be intersected by any line commencing six feet above the limit of any residential neighbourhood and extending upwards by 45 degree towards the said building.
- The applicant is proposing three (11 storey) residential buildings connected to the integrated internal main floor amenity space. The towers have floors 10, 11 and the equipment room recessed inwards from other floors 1-9. This is to allow the proposed building comply with the 45-degree angular plain as prescribed in the aforementioned.

Parking:

- The urban design policy with regards to parking promotes a reduction in the amount of land needed for parking by providing shared parking spaces and provide parking above and under ground within buildings where feasible rather than surface parking.
- Given the number of residential units being proposed and the associated commercial establishment, the proposed parking arrangement, which is comprised of both surface and in ground parking is consistent with the above guideline.

Landscaping:

- In terms of general landscape requirement, the Palliser Urban Design Guideline recommends that landscaping and ornamental fencing be used to define walkways,

entry points, portals and to screen the development's vehicular paved areas without compromising vehicle-pedestrian safety.

- Submitted preliminary plans shows extensive landscaping on site, most especially along the private street network. It is also important to note that the proposed vehicular parking areas are screened by trees and shrubs which is consistent with the above recommendation.

Pedestrian Connection:

- Given that the overarching policy vision of the Pallier MRS is to promote a human scale-pedestrian oriented community, the applicant has created an integrated, well laid out pedestrian connections throughout the entire site, most especially connections between buildings, driveways and the accessory parking area.

General Compatibility:

- The general guidance around compatibility centred on massing, buffering, enough accessory parking and shadow casting. Given that the overall proposal is generally consistent with the policies of the Palliser MRS in terms of massing, buffering and having over and above the required parking supply, the applicant has also submitted a shadow plan indicating that the proposed buildings would not create a substantial adverse effect on adjacent residential uses to the Palliser site.

Density:

- The general density target for the medium density residential area of Palliser MRS is 50 units per gross acre. At this target density, the total residential units, excluding the North Kildonan Mennonite Brethren Church will be approximately 1,500 and the projected population will be 3,000 assuming an average family size of 2 persons per household.
- The applicant's proposal of 414 dwelling units on 7.53 acres is consistent with the density target of 50 units per acre highlighted above.

Garbage Enclosure:

- Submitted site plan shows three garbage enclosure area on the property. One close to the west loading area, the second to the east loading area and a large garbage enclosure located close to the north loading area.

RECOMMENDED ADDENDUM TO EXISITNG DEVELOPMENT AGREEMENT – AG 222/96

Addendum to existing Development Agreement

The public service is recommending an addendum to the Development Agreement under File DASZ 5/2015, which requires a plan approval review by the Director of Planning, Property and Development and the East Kildonan – Transcona Community Committee. This layer of scrutiny will focus mainly on general site landscaping, internal circulation/parking and building articulation and materials. This is to ensure that final plans respect existing built form, scale and character.

Also, given the existing zoning and the Palliser Major Redevelopment Urban Design Guidelines, the Planning Division is placing a condition proscribing single-family, duplexes and townhouses as a principal use on the subject site.

Given that support for siting of the easterly Public Reserve was predicated on an east-west path running immediately north of DASZ 21/2013, to connect the south limit of the park to the centre of the Palliser MRS, the Developer will be responsible to construct the continuation of that path through the Public Reserve to Chief Peguis Trail when the land to the west is developed (see Figure 5 below).

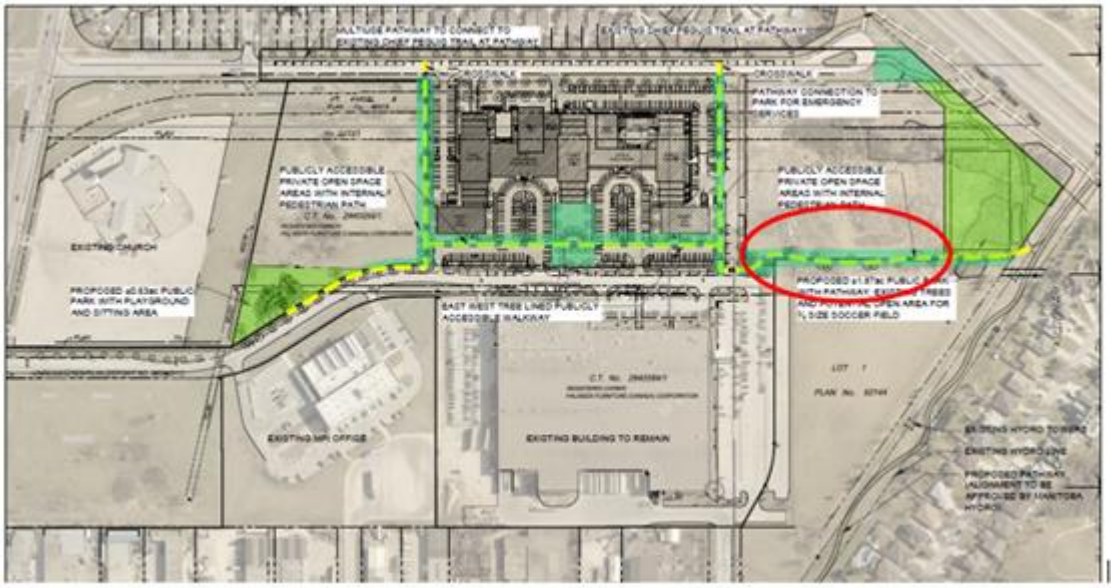


Figure 5: Public reserve pathways

Other issues in the Administrative Coordination Group report (Schedule “B”), relates to relocation of water mains, share of services, traffic signals, construction traffic, utilities, litter and refuse control clean up and public reserve.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to put in an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The land dedication requirement as applicable to the subject site is itemized in Schedule “B” (Report of the Administrative Coordinating Group) of this report.

RECOMMENDATION

The Urban Planning Division recommends **approval, with a condition** for the following reasons:

- Rezoning the subject property to “RMU” to facilitate the establishment of a mixed-use development and the creation or public reserve zoned “PR1” is consistent with *Complete Communities* and the Palliser Major Redevelopment Site Area Master Plan.
- The plan approval condition set out in the Zoning Agreement is to ensure that the proposed development aligns with the *Complete Communities Direction Strategy*. It also provides the Urban Planning Division an opportunity to review proposed building design and site layout in order to ensure compliance with the Palliser Urban Design Guidelines.

This Report Submitted by:

Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Femi Ojo, MCIP, RPP
PPD File # DASZ 14/2020

Schedule "A" for File No. DASZ 14/2020, East Kildonan - Transcona Community Committee, dated September 14, 2020

By–Law No. _____

File No. **DASZ 14/2020**

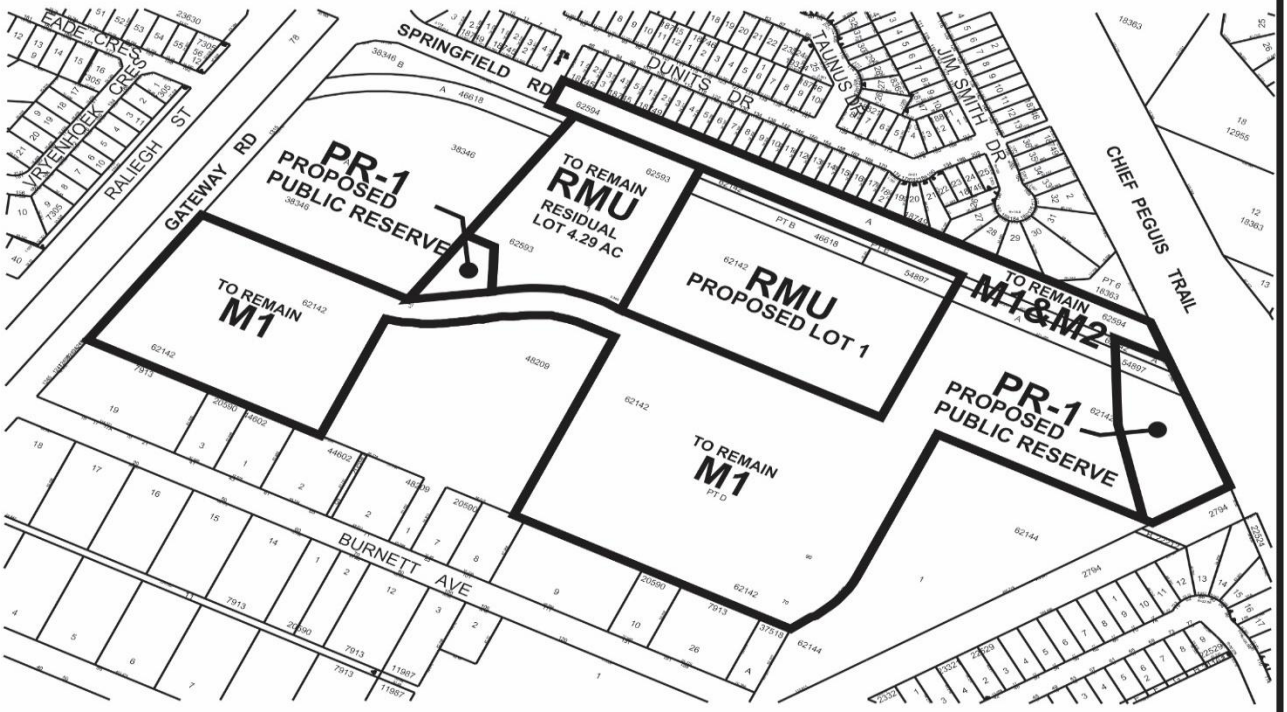
Atlas Sheet No. **V30**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 70 and 90 Lexington Park from an "M1 and "M2" MANUFACTURING DISTRICT and an "RMU" RESIDENTIAL MIXED USE DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of Public Reserve and to create a lot for a mixed-use development.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – November 18, 2020

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 70 AND UNNUMBERED LEXINGTON PARK

It is recommended that approval of DASZ 14/2020, if granted, be subject to the applicant entering into an Addendum to Servicing Agreement AG 222/96 containing the following conditions:

Section I – Plan Considerations

Public Works would be willing to consider a legal opening for the easement area within the closed Springfield right-of-way if there are concerns with the street lighting remaining. Should the Developer wish to explore this option, Public Works can provide additional recommendations for this area.

Section II - Servicing Conditions

1) Water Mains

The Developer shall, at no expense to the City, relocate the existing 300mm water main that the proposed building encroaches on and shall grant the City a 9.0m easement centered on the relocated water main.

2) Share of Services

a) The Developer shall pay to the City, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the following improvements on a pro-rated area basis using the area of the subject Planned Area proportioned against the total area for future development within Palliser's Lexington Village Lands:

i. Land Drainage Trunk Charges

ii. Existing services in Gateway Road including water mains, land drainage lateral sewers and ornamental street lighting

iii. The full cost of the installation of traffic control signals and all related works including, but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals and audible pedestrian signals at the intersection of Gateway Road and Lexington Park, when and as determined by and to the satisfaction of the Director of Public Works

iv. the following permanent roadworks at the intersection of Gateway Road and Lexington Park Road;

a. a southbound by-pass lane on Gateway Road, including transition;

b. northbound right-turn lane on Gateway Road, including transition, and all related works;

all when and as determined by and to the satisfaction of the Director of Public Works and the Director of Water and Waste.

b) Notwithstanding the above clauses, where, in the sole opinion of the Director of Public Works, traffic improvements outlined under 2) a) iii. and 2) a) iv. are required, the Developer will finance and construct those required improvements as determined by and to the satisfaction of the Director of Public Works.

In the event that the traffic improvements are required, the City will credit the Developer for any funds paid by the Developer and received by the City pursuant to Clause 2) a) iii. and Clause 2) a) iv. And the Developer will provide any required security, all as determined by and to the satisfaction of the Director of Public Works.

3) Construction Traffic

a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

b) The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

4) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

5) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and

construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

6) Public Reserve

a. The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development area and shall, at no expense to the City, undertake landscape improvements and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works and the Director of Planning, Property and Development. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Planning, Property, and Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash, or, by the provision of an equivalent value of additional site amenities in the Public Reserves within Palliser's Site Area Master Plan and subsequently within nearby parks, as approved by the Directors of Public Works and Planning Property and Development.

   i. Alternatively, the Developer may choose to accrue the dedication from one phase or application, with dedication of Public Reserves for future phases of the development, with compensation tabulated as necessary within the final phase of development.

b. It is acknowledged that former phases of development (DASZ 21/2013 – approximately 6.21 acres, and DASZ 5/2015 – approximately 4.79 acres) did not provide and Public Reserve lands, landscaping or services, therefore dedication of those phases of development shall be accrued with the dedication of Public Reserve requirements for this and subsequent phases (approximately 43.21 acres total) within the proposed Palliser Major Redevelopment Site Area Master Plan and compensation shall be tabulated, as necessary, with the final phase of development.

   i. Notwithstanding the above, if the current phase of development does not proceed within 5 years from the date the City executes this Addendum Agreement, the Developer shall pay to the City the outstanding Public Reserve obligations in accordance with the City's Development Agreement Parameters

c. Landscape improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the commencement of construction, by the Director of Public

Works. The scope of landscaping shall include grading, sodding, land drainage, and irrigation. The easterly Public Reserve shall be graded to accommodate an athletic field to the satisfaction of the Director of Public Works. The provisions of additional elements such as plantings, site furnishing, play equipment and 1 athletic field will be encouraged, subject to approval of plans submitted and approved by the Director of Public Works.

i. Given that support for siting of the easterly Public Reserve was predicated on an east-west path running immediately north of DASZ 21/2013, to connect the south limit of the park to the centre of the Palliser MRS, the Developer will be responsible to construct the continuation of that path through the Public Reserve to Chief Peguis Trail when the land to the west is developed, as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

d. If the City deems that the provision of irrigation or water service to the Public Reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value.

e. The Developer shall, at no expense to the City, erect uniform continuous fencing for properties abutting Public Reserve land, and along the westerly Public Reserve frontage, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

i. Any fencing installed abutting private property shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.

ii. The smaller westerly Public Reserve frontage fence shall be an open style (ie: chain link or approved alternative) conforming to City standards. Maintenance shall become the responsibility of the City thereafter. Installation of this fence shall be undertaken in accordance with the timeline stipulated under Item 6. g. or concurrently with the installation of playground equipment at this site, as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

f. Given that the roads within the Planned Area are private, the Developer shall, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, enter into an access agreement with the City to provide use of these streets for the purposes of public access and City maintenance staff and equipment, to the satisfaction of the Director of Public Works.

g. Public Reserve development should be undertaken by the time the Palliser MRS build out has reached 50% and completed before reaching 70%, unless an extension of time has been previously approved, in writing, by the Director of Public Works.

h. The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

i. The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of Public Reserve improvements.

j. Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, but shall not be released in full until and as-built drawings have been received and accepted as complete by the Director of Public Works and Final Acceptance for Parks has been issued.

Section III – Costs and Fees

1) By-laws and Approvals

The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of this Agreement and the physical development of the Planned Area.

2) Professional Fees

a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, parklands, parkways and associated works required to serve the Planned Area;

b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3) Administration Fees

The Developer shall pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 14/2020
January 18, 2020

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"*Original Signed by D. Beaton"*
D. Beaton, M.L. Arch.
Urban Planning and Design Division
Planning, Property and Development Department

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

Appendix "B"

Lexington Commons Seniors Village
Open House - Summary
June 24, 2020

1.0 Open House Engagement

The purpose of the Open House was to provide information on the Lexington Commons Seniors Village Conceptual Plans to the local community for feedback and questions regarding the proposed plans.

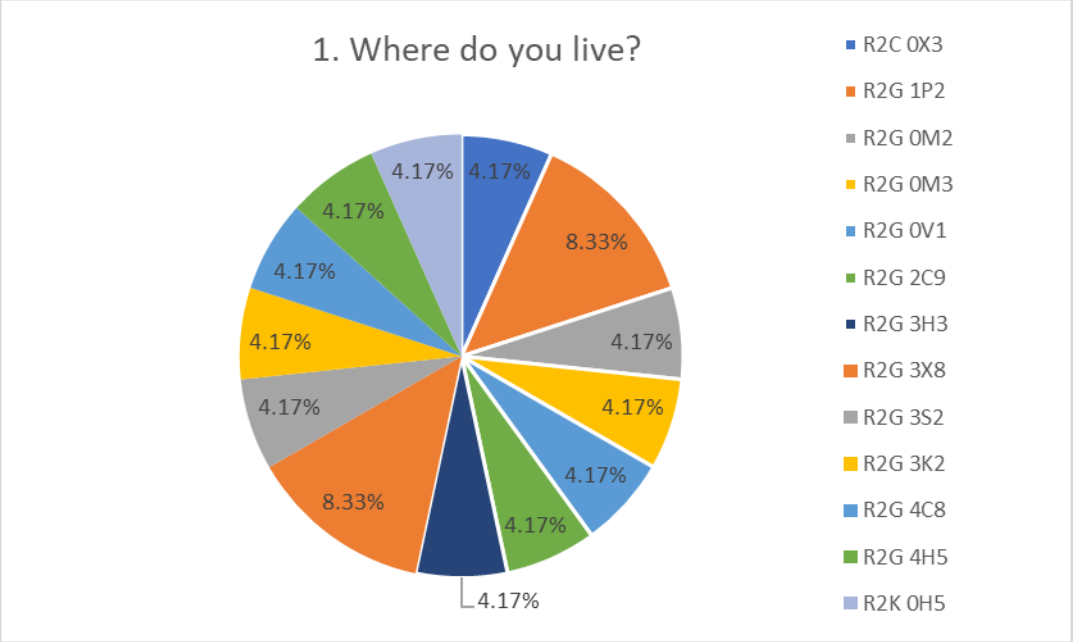
This Open House was advertised in the local Herald Newspaper on June 11th, 2020 and June 18th, 2020. Two large signs also provided Open House information, with the first placed at the corner of Gateway Road and Lexington Park and the second placed at Springfield Road and Dunits Drive, on June 17th, 2020. The online website was set up and was live on May 7th, 2020 and updated with new information on June 17th, 2020 with the website address: www.lexingtoncommonsseniorsvillage.ca and a telephone number was provided for the public to request additional information and ask questions. Previous community members who provided contact information when calling to ask questions regarding the online presentation in May were contacted directly by phone one week prior to the open house.

Conceptual Plans and drawings (Appendix A) were posted on the website and displayed in the front window of the Palliser building at 70 Lexington Park.

The Open House was held on June 24th, 2020 from 4:30pm-6:30pm, in an outdoor tent in the parking lot behind 70 Lexington Park. This outdoor tent provided the needed social distancing required by the province while still providing the community the opportunity to view the conceptual plans and ask questions to the project team. The Open House participants were encouraged to submit a comment sheet at the Open House or drop off completed comment sheets in the mailbox at 70 Lexington Park or complete the comments sheet online at the provided website by Friday July 3rd, 2020.

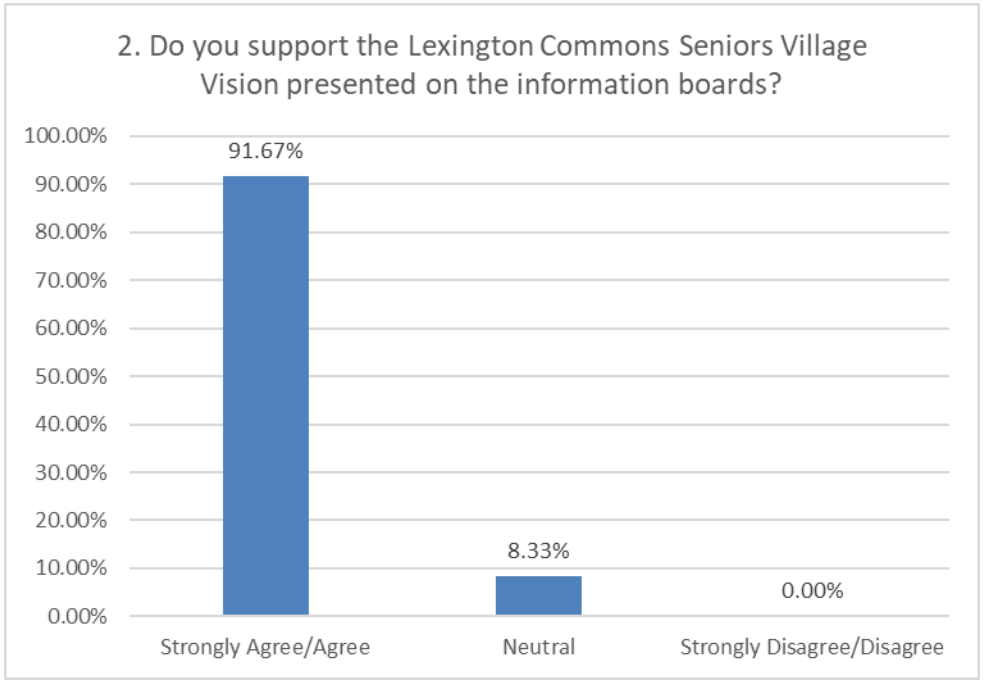
There were approximately 70 people who attended the Open House and of the 70 people 22 filled out comment sheets. Two (2) surveys were submitted dropped off in the mailbox at 70 Lexington Park. The following summarizes the comments and questions received from the comment sheets collected.

2.0 Summary of Open House Findings



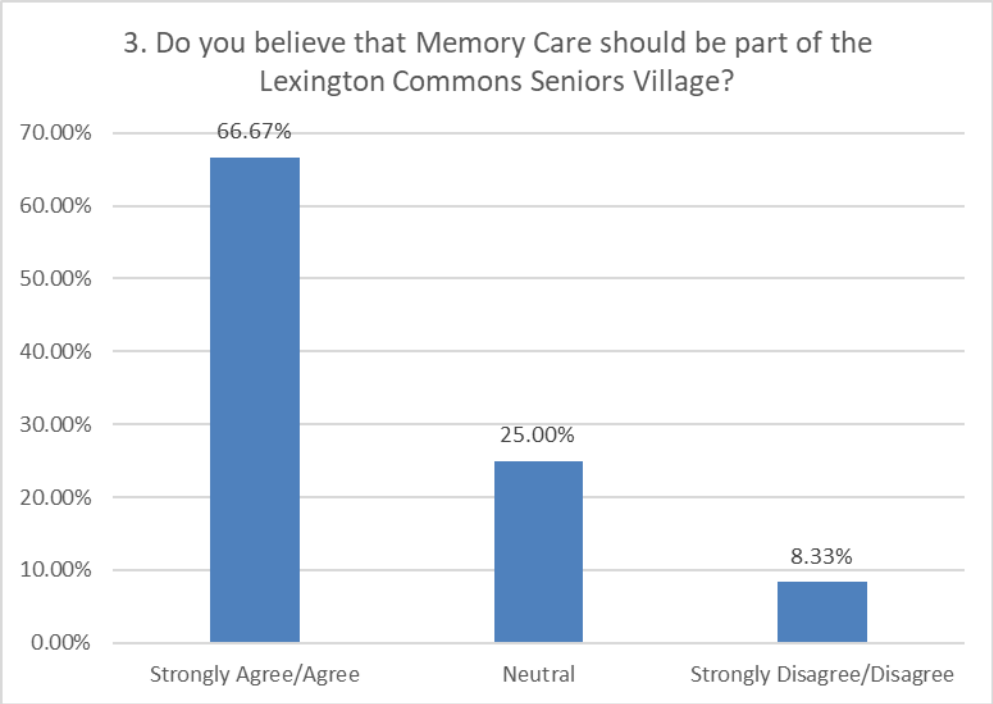
2. Do you support the Lexington Commons Seniors Village Vision presented on the information boards?

91.67% of the respondents indicated they either Strongly Support or Support the Lexington Commons Seniors Village Vision. 8.33% of respondents were neutral and no respondents disagreed.



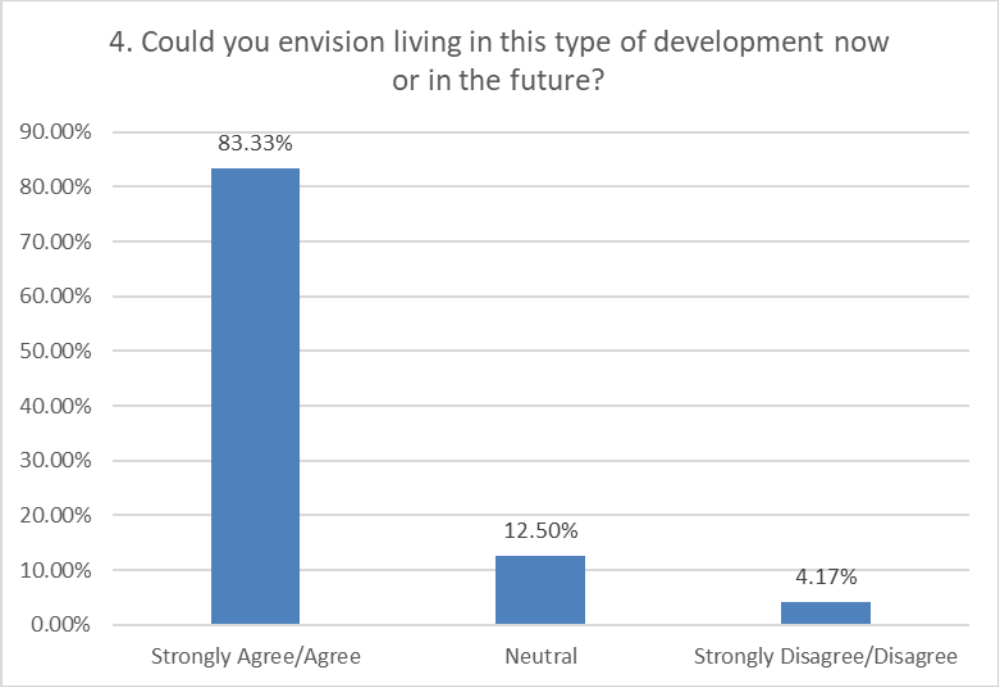
3. Do you believe that Memory Care should be part of the Lexington Commons Seniors Village?

66.67% of the respondents indicated they either Strongly Support or Support Memory Care as an option at Lexington Commons Seniors Village. 25% of respondents were neutral and only 8.33% respondents disagreed.



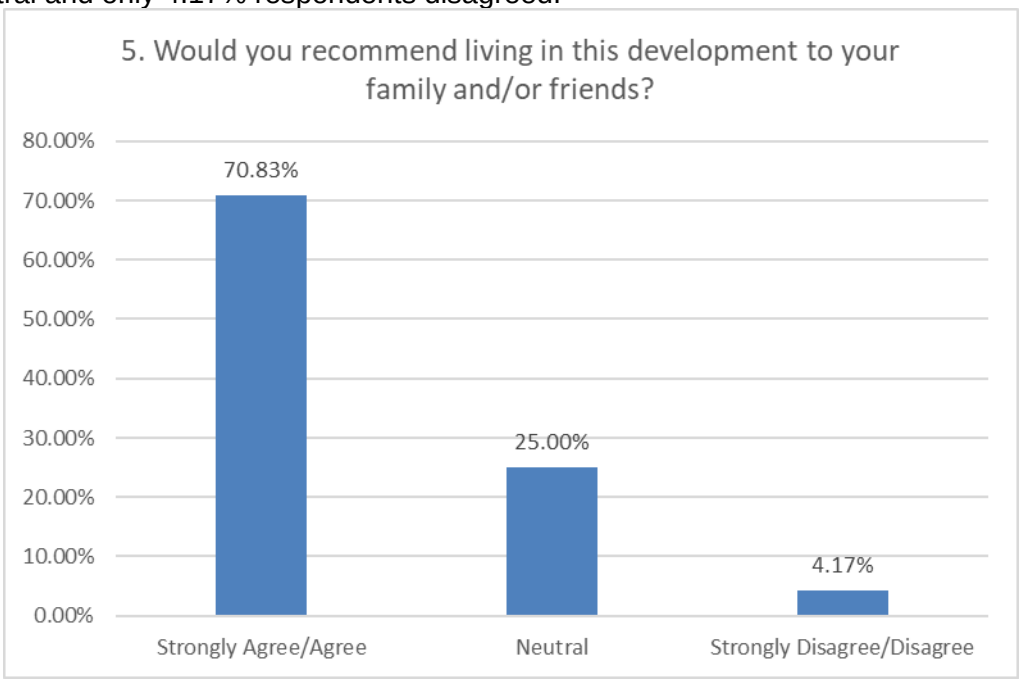
4. Could you envision living in this type of development now or in the future?

83.33% of the respondents indicated they either Strongly Support or Support living in this type of development now or in the future. 12.5% of respondents were neutral and only 4.17% respondents disagreed.



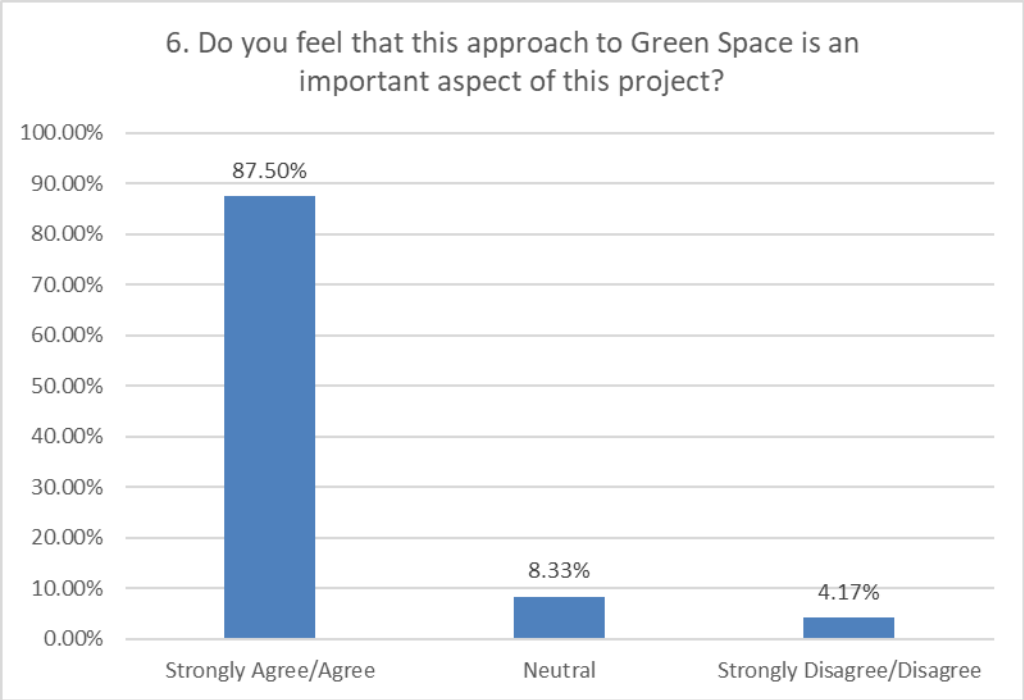
5. Would you recommend living in this development to your family and/or friends?

70.83% of the respondents indicated they either Strongly Support or Support recommending this development to their family and/or friends. 25% of respondents were neutral and only 4.17% respondents disagreed.

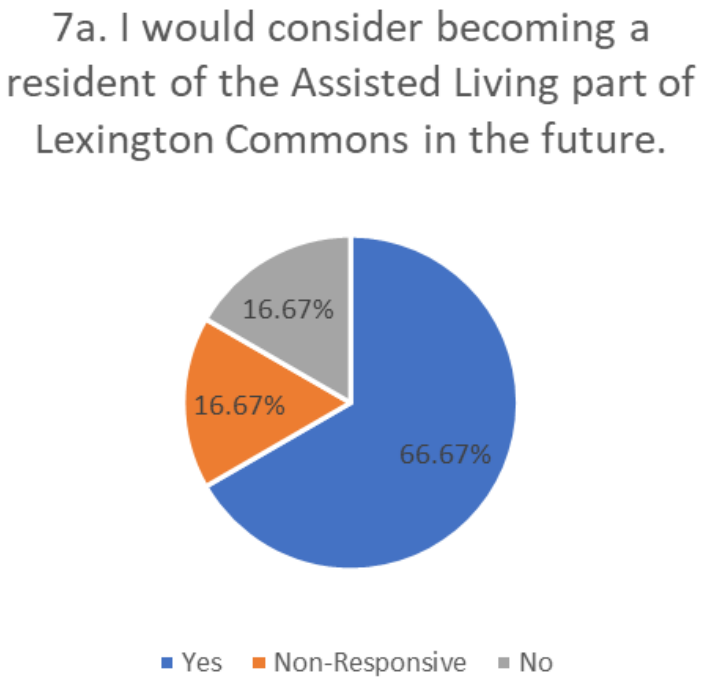


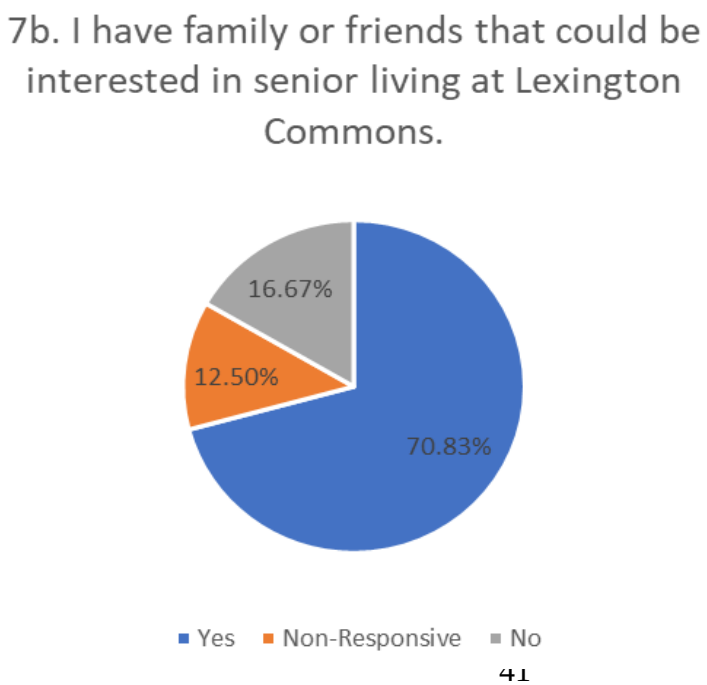
6. Do you feel that this approach to Green Space is an important aspect of this project?

87.5% of the respondents indicated they either Strongly Support or Support this approach to Green space and believe it is and important aspect of this project. 8.33% of respondents were neutral and only 4.17% respondents disagreed.



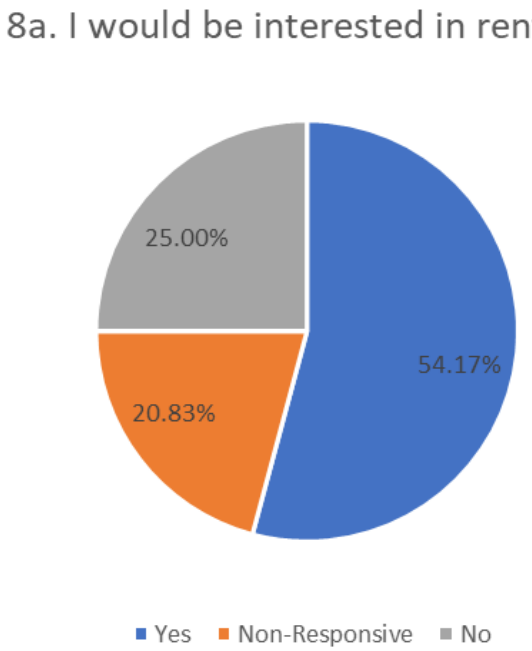
Questions 7 and 8 provided insight into the need for the project in the community and the potenitial for market uptake on rental and condominium units.

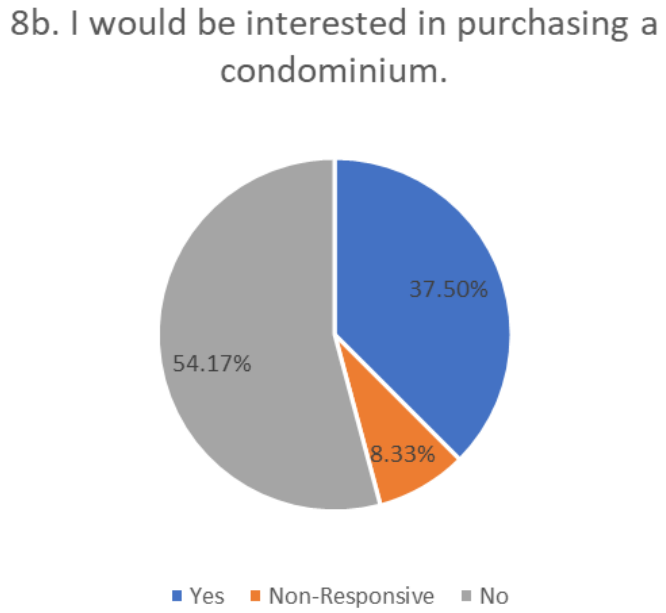




9. Please rate, from the list below, what is most attractive to you about creating the Lexington Commons Seniors Village as an integral component of the overall 'Village' concept for the Palliser Major Redevelopment Site. Please number from 1-3 with 1 being most attractive. You can assign a number more than once.

The responses were analyzed based on the ranking given by each respondent. The final aggregate ranking is based on the following formula:





7. Community marketplace on the weekends (Rating 2.38)
8. Multi-generational community (Rating 2.42)

3.0 Further Results and Comments

Please see below the additional comments and chart for the balance of the results.

10. Please provide us with any additional comments or suggestions you may have. Is there anything missing from the Lexington Commons Seniors Vision?

Will underground parking have a car wash? Bicycle Rack? Will there be storage?

More balconies and at least 1 1/2 baths in more suites.

Small pets to be included, ie. Small cat

Balcony is very important - especially to barbecue or plant

Storage space is important

Walk in closet

Larger unit with upscale finishing

VERY sound proof too

I love the concepts in your Senior's Village but I live directly behind the first senior village building. I like public parks and market place but it will add more traffic to Springfield Rd. It will become a traffic route again (not like before, I realize but a traffic route nonetheless behind my backyard fence.) I am just hoping the traffic won't grow.

Would life lease be considered?

Would it be pet free?

Golf course

Would prefer a life lease

Hope there will be a life-lease option

Very interested in getting into Phase 1. We are very interested 2 bedroom, 2 bathroom unit, facing south on the top floor.

Parking for a second vehicle

Would like to be advised asap regarding availability and would be interested in renting on upper floors.

Parking Great - 90 for parking @ grade? Vs. Base multiple levels of grade - don't need to move.

Roof top patio? Pool?

We're missing any kind of lake or stream - we live on the river currently

This location is not the best

Looks fabulous, I like the relationship with Schlegel. We have friends involved with Schlegel in Ontario and they speak highly of the organization.

Would thre be a possibility of Life Lease?

What about Life Lease apartments or suites? Would there be a concierge in this complex?

Summary

Positive Comments:

1 Underground parking have a car wash or bike rack?
2 Will there be storage?
2 More balconies
1 Walk in closet
2 small pets allowed?
1 larger unit with upscale finishing
1 will it be very sound proof
2 life lease option
2 extra bathroom
2 interested in purchasing on upper floor
1 parking for second vehicle
1 great parking - wondering if there would be multiple levels of grade?
1 roof top patio or pool?
1 Like the look and connection to Schlegel

Concerns:

1 worried about traffic increasing on Springfield
1 location is not the best

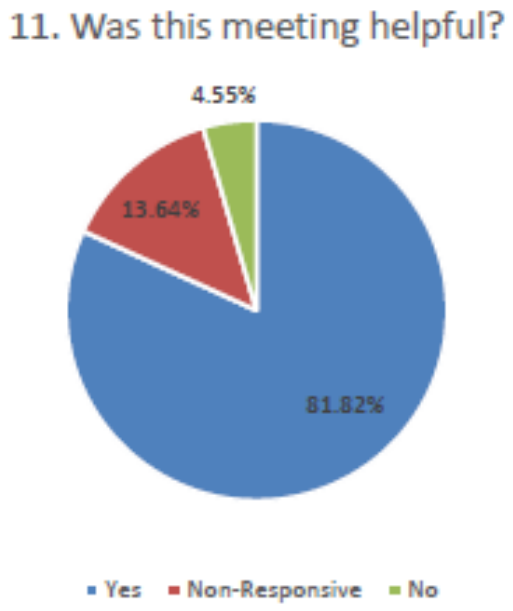
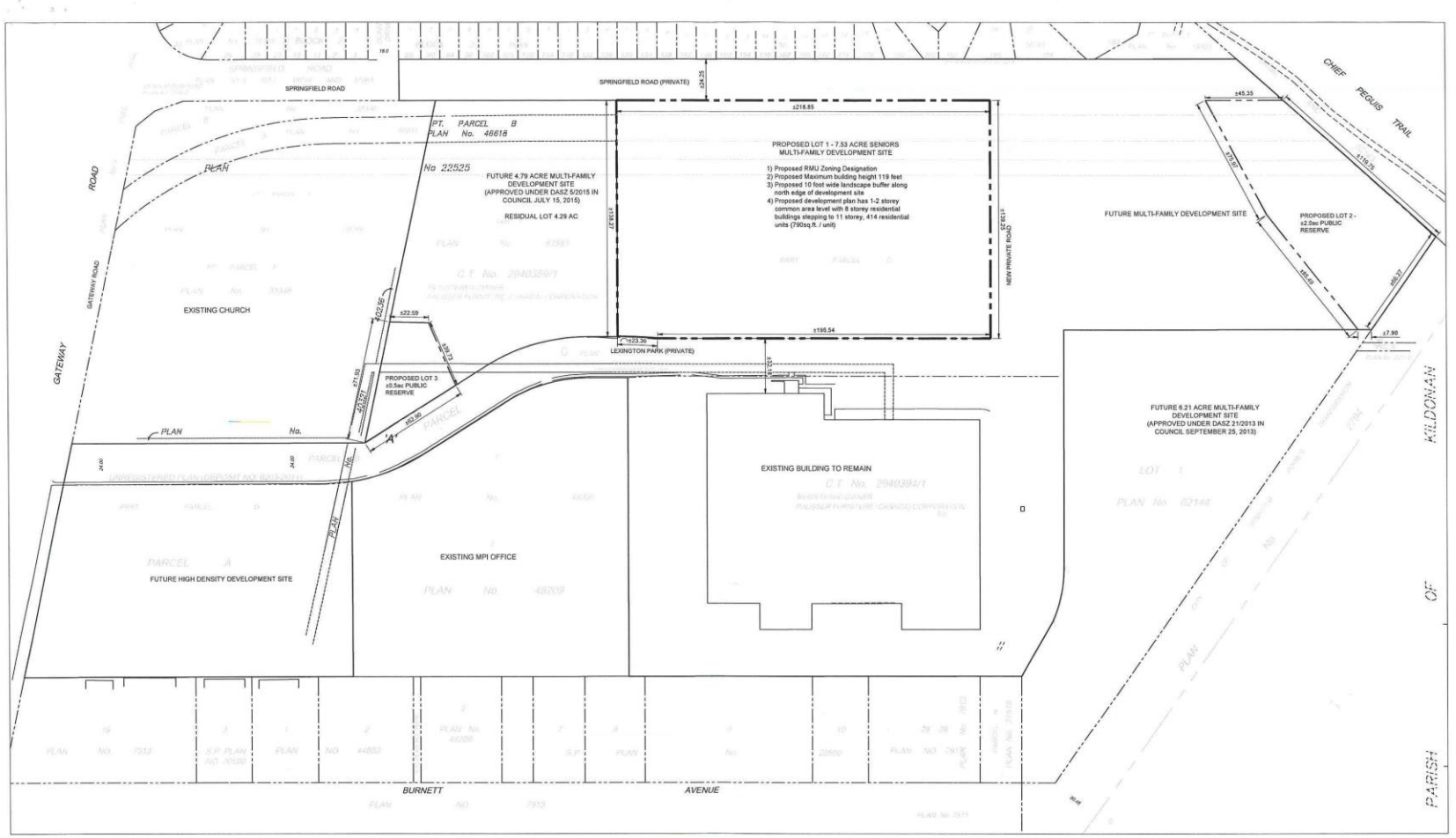


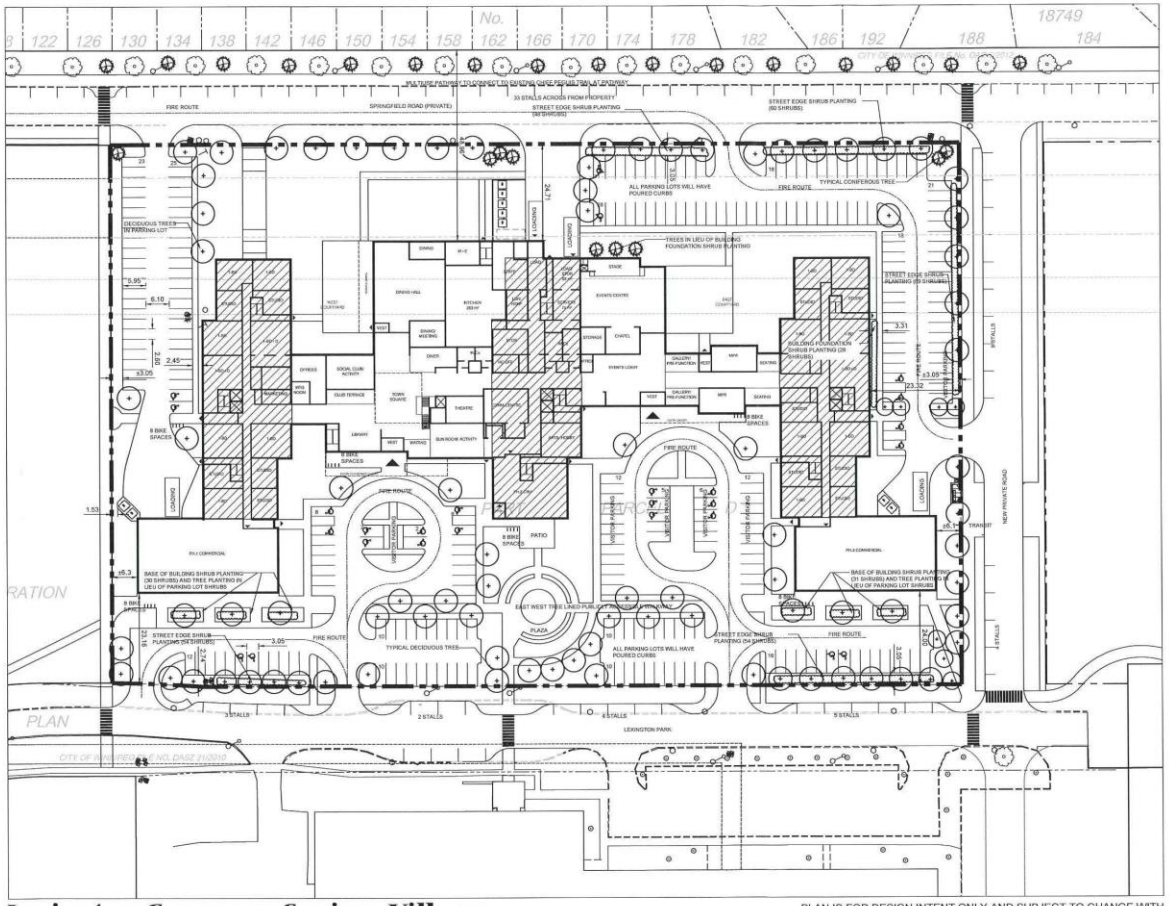
Exhibit “7” referred to in File DASZ 14/2020



Lexington Commons Seniors Village

Conceptual Plan of Subdivision and Rezoning

AUGUST 2020
SCALE 1:1000
0 5 15 25 50 100m NORTH



Lexington Commons Seniors Village

Conceptual Development Plan

DECEMBER 2029
SCALE 1:500 0 2 5 15 25 50m NORTH

PLAN IS FOR DESIGN INTENT ONLY AND SUBJECT TO CHANGE WITH FINALIZATION OF DESIGN OF BUILDINGS AND SITE AMENITIES

PARKING STATISTICS

	REQ'D BY C.O.W.	PROVIDED
INDEPENDENT LIVING - 138 UNITS	207 STALLS	138 STALLS
ASSISTED LIVING - 276 UNITS	55 STALLS	118 STALLS
RESIDENTIAL VISITOR PARKING (1 PER 10 STALLS INDEPENDENT LIVING) (1 PER 10 RESIDENTS ASSISTED LIVING)	INCLUDED IN ABOVE	49 STALLS[c]
WEST COMMERCIAL - 7,793sf	24 STALLS	24 STALLS
CENTRAL COMMERCIAL - 3,405sf	35 STALLS	35 STALLS
EAST COMMERCIAL - 7,750sf	24 STALLS	24 STALLS
TOTAL PARKING	345 STALLS	388 STALLS (123 STALLS UNDERGROUND)
PARKING SURPLUS		43 STALLS
ACCESSIBLE STALLS (included in totals)	14 STALLS	30 STALLS
VAN ACCESSIBLE(included in above)	4 STALLS	18 STALLS (14 STALLS UNDERGROUND)
BICYCLE PARKING (1 PER 10 STALLS)	35	35 (20 UNDERGROUND)

LANDSCAPE STATISTICS

	REQUIRED	PROPOSED
STREET EDGE LANDSCAPING (NORTH SIDE) 218.85m/718ft		
1 TREE/30 ft.	24	24
3 SHRUBS/20 ft.	108	108
STREET EDGE LANDSCAPING (EAST SIDE) 139.25m/457ft		
1 TREE/30 ft.	15	15
3 SHRUBS/20 ft.	69	69
STREET EDGE LANDSCAPING (SOUTH SIDE) 218.9m/718ft		
1 TREE/30 ft.	24	24
3 SHRUBS/20 ft.	108	108
BUILDING FOUNDATION	1 SHRUB/10 ft.	
SOUTH - 185.9m/ 610 ft.	61	61
NORTH - 185.9m/ 610 ft.	61	0[c]
EAST - 85.96m/ 282 ft.	28	28 [c] 3 TREES
PARKING LOT INTERIOR		
(5% OF 11 275 sm/121,367 sf)	564sm/6,068 sf	1870sm/20,129 sf
1 TREE/300 SQ.FT.	20	24
1 SHRUB/100 SQ.FT.	61	0[c] [c] 4 TREES
TOTAL TREES	83	90
TOTAL SHRUBS	496	374

A VARIANCE IS BEING APPLIED FOR TO ALLOW FOR THE REDUCE SHRUBS AND INCREASED TREES. ANY ADDITIONAL PLANTING IS AT THE DISCRETION OF THE OWNER. ANY MODIFICATIONS TO THE ABOVE WILL BE DETAILED AT PLAN APPROVAL

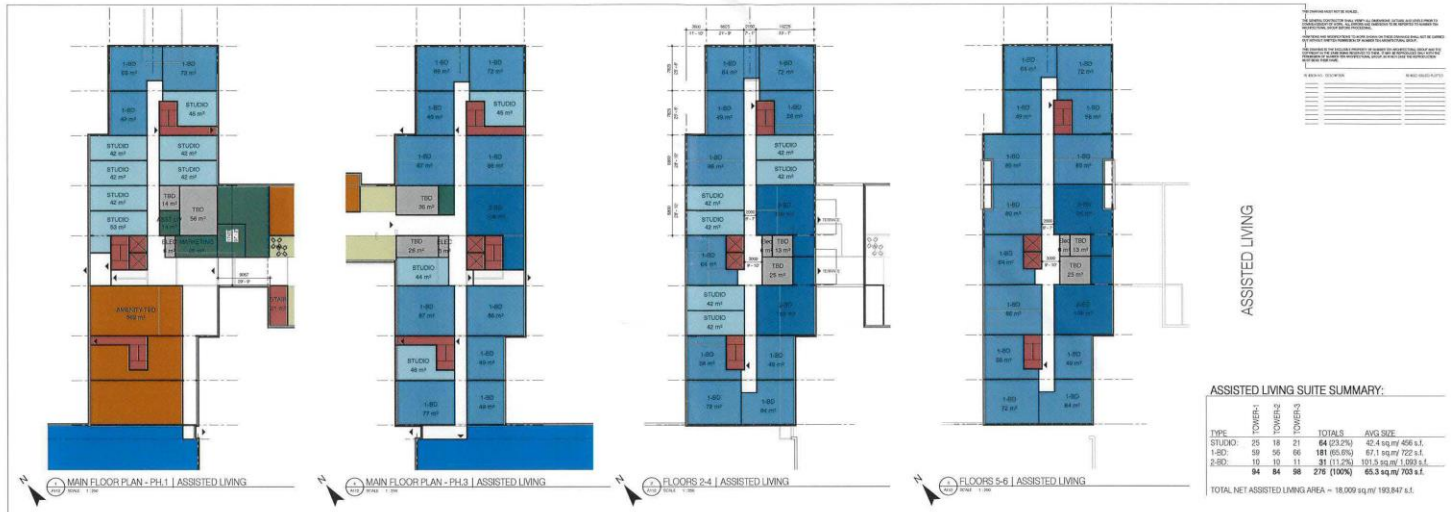
PLANT LIST

COMMON NAME/SCIENTIFIC NAME	SIZE	REMARKS
DECIDUOUS TREES		
JAPANESE TREE LILAC / SYRINGA RETICULATA	85 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 4.5m, BRANCHING HT. 1.5m.
SPRING SNOW FLOWERING CRAB / MALUS X 'SPRING SNOW'	85 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 4.5m, BRANCHING HT. 1.5m.
AMERICAN BASSWOOD/ TILIA AMERICANA	85 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 6.0m, BRANCHING HT. 1.8m.
AMERICAN ELM/ ULMUS AMERICANA	85 mm cal.	SPECIMEN, W.B. MACHINE DUG WITH MIN. 10 BRANCHES IN WELL BRANCHED HEAD, STRAIGHT TRUNK, MIN. HT. 6.0m, BRANCHING HT. 1.8m.
CONIFEROUS TREES		
BLACK HILLS SPRUCE/PICEA GLAUCA 'BLACK HILLS'	1.8m ht.	SPECIMEN, W.B. MACHINE DUG WITH SINGLE UPRIGHT LEADER, STRAIGHT TRUNK, WELL BRANCHED, FULL FORM.
COLORADO SPRUCE/PICEA PUNGENS	1.8m ht.	SPECIMEN, W.B. MACHINE DUG WITH SINGLE UPRIGHT LEADER, STRAIGHT TRUNK, WELL BRANCHED, FULL FORM.
DECIDUOUS SHRUBS		
GALAHAD MOCKORANGE/ PHILADELPHUS X 'GALAHAD'	#3 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN. 600mm HT.
LITTLE LADY LILAC/ SYRINGA X 'JEFLADY'	#3 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN. 450mm HT.
PERENNIALS/ORNAMENTAL GRASSES		
KARL FOERSTER GRASS/ CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	#2 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN. 300mm HT.
HOT ROD SWITCH GRASS/ PANICUM VIRGATUM 'HOT ROD'	#2 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN. 300mm HT.
AWNED WHEATGRASS/ AGROPYRON SUBSECUNDUM	#2 CONTAINER	SPECIMEN, CONTAINER GROWN, WITH MINIMUM 3 STALKS IN WELL BRANCHED PLANT, MIN. 300mm HT.

PLANT LIST IS SUBJECT TO CHANGE WITH AVAILABILITY OF MATERIALS AT TIME OF PLAN APPROVAL AND DEVELOPMENT PERMIT APPLICATION. LIST PROVIDED TO CONFIRM PLANTS MEET

LEGEND

LIMIT OF 7.53 ACRE SENIORS MULTI FAMILY DEVELOPMENT SITE



ASSISTED LIVING SUITE SUMMARY:

TYPE	TOWER-1	TOWER-2	TOWER-3	TOTALS	AVG SIZE
STUDIO:	25	18	21	64 (23.2%)	42.4 sq.m/ 456 s.f.
1-BD:	59	55	66	181 (65.6%)	67.1 sq.m/ 722 s.f.
2-BD:	10	10	11	31 (11.2%)	101.5 sq.m/ 1,093 s.f.
	94	84	98	276 (100%)	65.3 sq.m/ 703 s.f.

TOTAL NET ASSISTED LIVING AREA = 18,009 sq.m/ 193,847 s.f.

INDEPENDENT LIVING SUITE SUMMARY:

TYPE	TOWER-1	TOWER-2	TOWER-3	TOTALS	AVG SIZE
1-BD:	26	25	26	78 (56.5%)	71.4 sq.m/ 769 s.f.
2-BD:	15	15	15	45 (32.6%)	125.9 sq.m/ 1,355 s.f.
3-BD:	5	5	5	15 (10.9%)	169.8 sq.m/ 1,828 s.f.
	46	46	46	138 (100%)	99.8 sq.m/ 1,074 s.f.

TOTAL NET INDEPENDENT LIVING AREA = 13,779 sq.m/ 148,316 s.f.

number TEN architectural group

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WINNIPEG, MB

project

SUITE PLANS

sheet title

consultant

seal

scale: 1 : 250

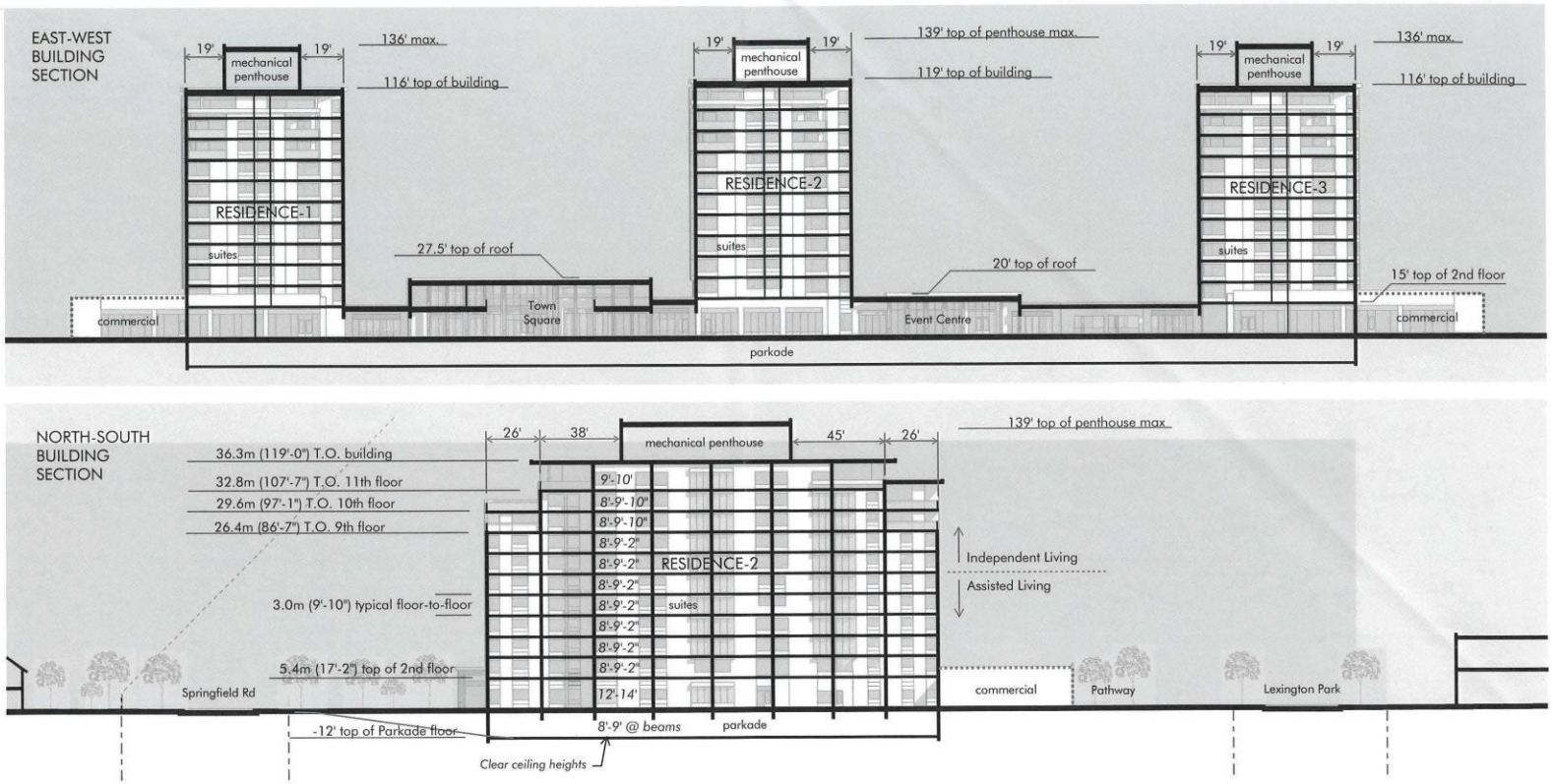
drawn by: Author

date: DEC 14, 2020

checked by: Checker

project no. 2019054

sheet no. A112



Note: Floors 2-11 in Residence-1 and Residence-3 are 3' lower than in Residence-2. Residence-2 is shown above in Section to illustrate the highest elevations.

Note: Mechanical Penthouses shown are 31% of the supporting floorplate area.



N

LOWER LEVEL FLOOR PLAN

GROSS FLOOR AREAS:

PARKADE LEVEL: 7,723 sq.m (83,130 s.f.)

PARKING CAPACITY:

62	PHASE 1
14	PHASE 2
21	PHASE 2/3 under Events Centre only
26	PHASE 3 under remaining Phase 3
123	**TOTAL PARKING CAPACITY**

Includes 14 Barrier Free Stalls

NOTE: PARKING QUANTITIES AND DIMENSIONS ARE PRELIMINARY ONLY, SUBJECT TO CHANGE.

PRELIMINARY
ISSUED FOR INFORMATION ONLY

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project: LEXINGTON COMMONS
WINNIPEG, MB

sheet title: LOWER LEVEL FLOOR PLAN

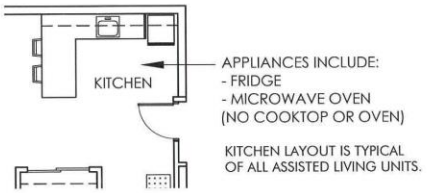
consultant

seal

drawn by: GD
checked by: GD, KF

scale: 1 : 250
date: JAN 6, 2021

A110



ASSISTED LIVING SUITE TYPICAL KITCHEN LAYOUT

1:100

project: LEXINGTON COMMONS
WINNIPEG, MB

sheet title:

scale: 1:100

drawn by: HF

checked by:

date: Dec 10/20

project no. 2019054

sheet no. AS.1

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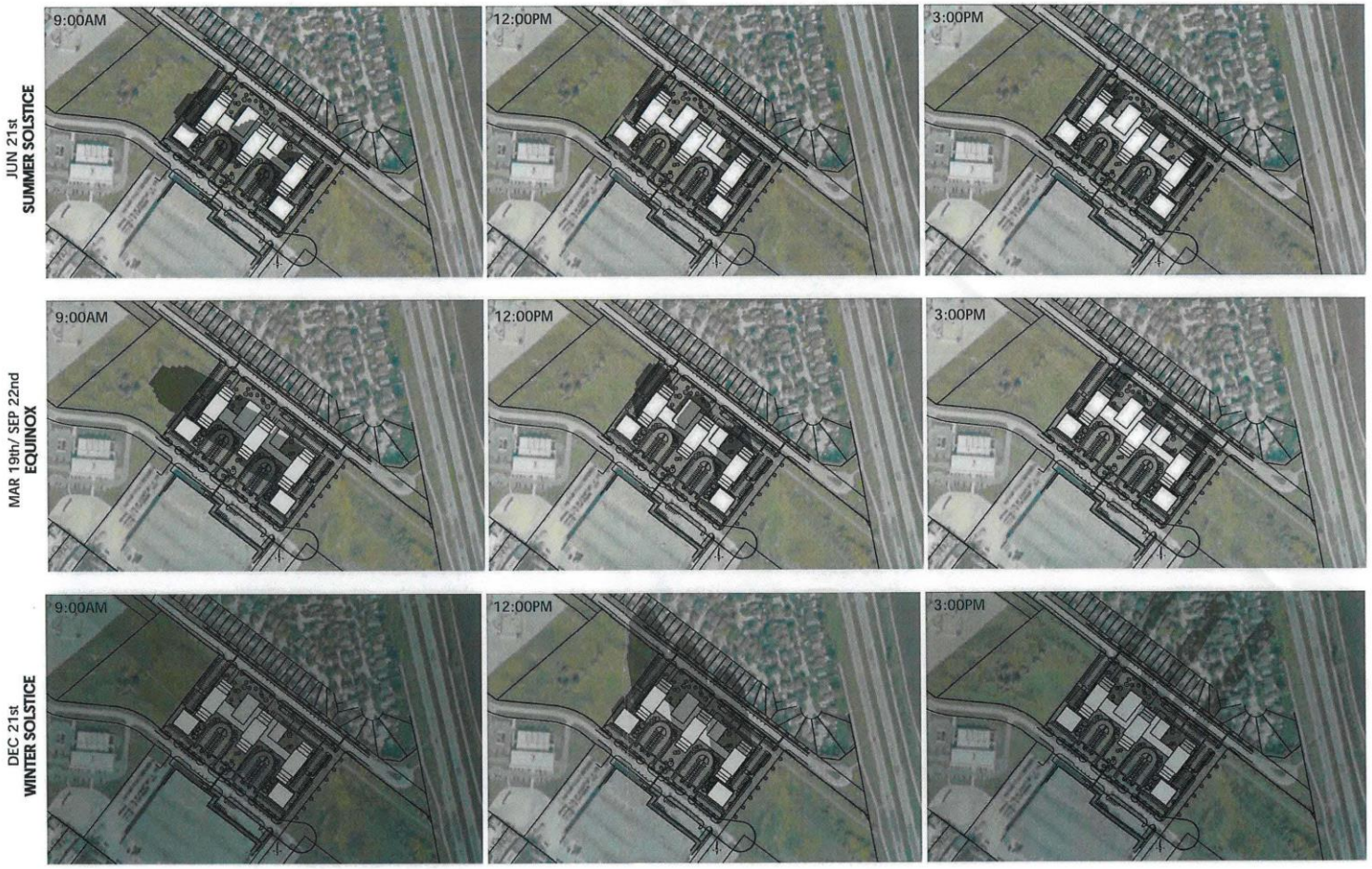

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